

§ 25-404. Application for approval of substantial change in operation.

(a) Before making a substantial change in the nature of the operation of the licensed establishment, an applicant shall file with the Board an amendment to its application or last application, providing the information required on an application under § 25-402(a).

(b) (1) If the Board determines that the proposed change to the nature of the operation is substantial:

(A) It shall provide notice of the licensee's amended filing to the same persons and in the same manner required for license renewal applications in Subchapter II of this Chapter; and

(B) The applicant requesting approval of a substantial change shall demonstrate appropriateness as set forth in §§ 25-313 and 25-314.

(2) There shall be no presumption of appropriateness with respect to substantial change applications. If the applicant fails to demonstrate that the proposed change in the nature of operation is appropriate for the locality, section, or portion of the District where the establishment is located, the Board shall disapprove the proposed change.

(3) In determining whether the proposed changes are substantial, the Board shall consider whether they are potentially of concern to the residents or businesses surrounding the establishment.

(c) If proper notice has been given as provided under Subchapter II of this Chapter, and no objection to the appropriateness of the proposed substantial change in the nature of the operation of the establishment is filed with the Board during the protest period, the proposed change shall be presumed appropriate for the locality, section, or portion of the District where it is located.